

Application No. 10/771,863Case No.: 59472US002

### REMARKS

This paper is responsive to the Office Action dated 22 March 2005. Applicants disagree with all the objections, rejections, and assertions presented in the 22 March 2005 Office Action. Applicants assert that the pending claims are allowable and respectfully requests reconsideration and withdrawal of all the pending objections and rejections.

Original claims 1-28 are pending.

### Specification

Applicant has amended the specification to remove the general reference to the Handbook of Pressure Sensitive Adhesive Technology and to indicate that a cited patent application is now a patent publication. In addition, page 396 of the Handbook of Pressure Sensitive Adhesive Technology is submitted in an IDS.

### 102 Rejections

Claims 1-7 and 16-23 are rejected under 35 USC 102(e) as being anticipated by Katsumata et al. (US 6,829,090). Applicants respectfully disagree.

With regard to claims 1-7 and 16-23, Katsumata et al., fails to disclose every element of the claims. Katsumata et al., does not disclose, at least, a pressure sensitive adhesive disposed on the multilayer reflective polarizing film. The Examiner points only to column 6, lines 21-27:

The adhesive layer 23 is a soft type adhesive and may, for example, be a UV adhesive exhibiting rubber-like performance or a silicon adhesive exhibiting rubber-like performance. The adhesive layers 23 are provided on the surfaces of the diffraction grid substrates 22 facing the diffraction grid 21 of the diffraction grid substrates 22.

A “soft type adhesive” or “UV adhesive exhibiting rubber-like performance” or “silicon adhesive exhibiting rubber-like performance” is not a pressure sensitive adhesive.

Applicants have defined the term “pressure sensitive adhesive” at page 12, lines 17-20 as a material with the following properties:

- (1) aggressive and permanent tack, (2) adherence with no more than finger pressure, (3) sufficient ability to hold onto an adherand,

Application No. 10/771,863Case No.: 59472US002

(4) sufficient cohesive strength, and (5) requires no activation by an energy source.

The Katsumata et al., disclosure of a “soft type adhesive” does not anticipate the claimed term “pressure sensitive adhesive”. Applicants request the Examiner to particularly point out the support within Katsumata et al., for rejections based on Katsumata et al.

In addition, the Examiner has used the Katsumata et al., “soft type adhesive” disclosure to anticipate both pressure sensitive adhesives and structural adhesives, and even states that the term “soft type adhesive” can mean one pressure sensitive layer and one structural adhesive layer. As defined in the pending application, “structural adhesives” are neither soft nor rubbery. Katsumata et al., clearly does not disclose a pressure sensitive adhesive.

The Katsumata et al., disclosure of a “soft type adhesive” is at least non-descriptive, vague, unclear and ultimately not enabled for a “pressure sensitive adhesive”. As stated above, the Examiner uses the Katsumata et al., disclosure of a “soft type adhesive” to anticipate both a structural adhesive and a pressure sensitive adhesive and to anticipate an article having both a structural adhesive layer and a pressure sensitive layer.

Applicants request the Examiner to particularly point out the support within Katsumata et al., for rejections based on the Katsumata et al., disclosure of a “soft type adhesive” or provide a reference to enable the Katsumata et al., disclosure of a “soft type adhesive”.

With regard to claims 6 and 7, Applicants have not acknowledged that optical quality pressure sensitive adhesive such as rubber like materials are generally free of photo initiators and un-reacted monomers or unreacted oligomers. The pending specification states that: “[p]ressure sensitive adhesives (PSA) are known to those of ordinary skill in the art.” This is general statement regarding PSAs that is not directed to any specific pressure sensitive adhesive, and thus, is not directed to “pressure sensitive adhesives free of photo initiators and un-reacted monomers or unreacted oligomers”. Applicants remind the Examiner that Applicants’ pending specification cannot be used to anticipate the pending claims.

With regard to claims 18-23, Applicants request the Examiner to particularly point out the claimed elements found in Katsumata et al. For example, with regard to claim 20, Katsumata et al., fails to disclose formation of an adhesive:polarizing film laminate prior to applying this

Application No. 10/771,863Case No.: 59472US002

adhesive; polarizing film laminate to the rigid cover. Applicants request the Examiner to particularly point out the support within Katsumata et al., for rejections based on Katsumata et al.

In view of the above, Applicants respectfully request reconsideration and withdrawal of these claim rejections.

### **103 Rejections**

Claims 8-15 and 24-28 were rejected under 103(a) as being unpatentable over Kusano et al., (US 6,386,710) in view of Katsumata et al. (6,829,090). Applicants respectfully disagree.

With regard to claims 8-15 and 24-28, contrary to the Examiner's assertion, Kusano et al., fails to disclose, at least, any multilayer reflective polarizing film. Kusano et al., only discloses single layer absorptive (dichroic) polarizing films (see e.g., col. 11, lines 25-35). Kusano et al., also fails to disclose a pressure sensitive adhesive. Kusano et al., even fails to disclose any adhesive layer disposed on a rigid cover.

The Examiner has provided no motivation to modify Kusano et al., to include, at least, an adhesive layer disposed on a rigid cover. The motivation provided by the Examiner is to provide a pressure sensitive adhesive (that is not even disclosed by the secondary reference) in the Kusano et al., article where no adhesive is provided by Kusano et al. As stated by the Examiner, the only adhesive layer Kusano et al., discloses is between the single layer absorbing polarizing films.

With regard to claim 9, the Examiner has not provided a combination of references to provide the claim elements of claim 9. In addition, the Examiner has not provided a motivation to combine or modify Kusano et al., to obtain the all the elements of claim 9. Applicants request the Examiner to particularly point out the support within Kusano et al., for rejections based on Kusano et al., and provide a motivation to combine or modify Kusano et al.

With regard to claim 10, the Examiner has not provided a combination of references to provide all the claim elements of claim 10. In addition, the Examiner has not provided a motivation to combine or modify Kusano et al., to obtain the all the elements of claim 10. Applicants request the Examiner to particularly point out the support within Kusano et al., for rejections based on Kusano et al., and provide a motivation to combine or modify Kusano et al.

Application No. 10/771,863Case No.: 59472US002

With regard to claim 11, the Examiner has not provided a combination of references to provide all the claim elements of claim 11. In addition, the Examiner has not provided a motivation to combine or modify Kusano et al., to obtain the all the elements of claim 11. Applicants request the Examiner to particularly point out the support within Kusano et al., for rejections based on Kusano et al., and provide a motivation to combine or modify Kusano et al.

With regard to claims 14 and 15, Applicants have not acknowledged that optical quality pressure sensitive adhesive such as rubber like materials are generally free of photo initiators and un-reacted monomers or unreacted oligomers. The pending specification states that: “[p]ressure sensitive adhesives (PSA) are known to those of ordinary skill in the art.” This is general statement regarding PSAs that is not directed to any specific pressure sensitive adhesive, and thus, is not directed to “pressure sensitive adhesives free of photo initiators and un-reacted monomers or unreacted oligomers”. Applicants remind the Examiner that Applicants’ pending specification cannot be used as impermissible reconstructive hindsight against the pending claims. Kusano et al., fails to provide any teaching of pressure sensitive adhesives. Applicants request the Examiner to particularly point out the support within Kusano et al., for rejections based on Kusano et al., and provide a motivation to combine or modify Kusano et al.

With regard to claims 24-28, Applicants request the Examiner to particularly point out the claimed elements found in the cited references. For example, with regard to claim 20, Katsumata et al., and Kusano et al., fail to disclose formation of an adhesive:polarizing film laminate prior to applying this adhesive:polarizing film laminate to the rigid cover. Applicants request the Examiner to particularly point out the support within Kusano et al., for rejections based on Kusano et al., and provide a motivation to combine or modify Kusano et al.

In view of the above, Applicants respectfully request reconsideration and withdrawal of these claim rejections.

Application No. 10/771,863Case No.: 59472US002**CONCLUSION**

In view of the above, Applicants submits that pending claims are in condition for allowance. Reconsideration is respectfully requested and a Notice of Allowance is earnestly solicited.

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Respectfully submitted,

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